

JC01 Rec'd PCT 00 07 SEP 2005

#5



Atty's Dkt: ASSIS1A

In re Application of:
Tsurie ASSIS
Serial No. 10/519,924
IA Filing Date: July 1, 2003
For: OPTICAL DISK DRIVE USING ONE-DIMENSIONAL...

) Application Division
) ATTN: PCT
) Washington, D.C.
) Confirmation No. 9511
) Date: September 7, 2005

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Missing Parts
401 Dulany Street
Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated July 7, 2005. Attached hereto is/are:

- [XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title and priority information.
[XX] Additional fees as calculated below:

[] Basic fee		
[XX] Exam fee		\$200.00
[XX] Search fee		\$500.00
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [XX] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE	
	X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate
25 - 20 =	5	X \$ 50.00
2 - 3 =	0	X \$200.00
Multiple Dependent Claims (if applicable)		+ \$360.00
TOTAL OF ABOVE CALCULATIONS		\$1,080.00
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.		<\$540.00 >
SUBTOTAL		\$540.00
Processing fee of \$130.00 for late furnishing of the English translation.		\$
TOTAL NATIONAL FEE		\$540.00

- [] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity		
Response Filed Within		
[] First	-	\$ 60.00
[] Second	-	\$ 225.00
[] Third	-	\$ 510.00
[] Fourth	-	\$ 795.00
[] Fifth	-	\$1,080.00

month after time period set

Other Than Small Entity		
Response Filed Within		
[] First	-	\$ 120.00
[] Second	-	\$ 450.00
[] Third	-	\$1,020.00
[] Fourth	-	\$1,590.00
[] Fifth	-	\$2,160.00

month after time period set

- [XX] Total fees enclosed: \$ 540.00

- [XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$ 540.00 is enclosed to cover the above fees.

- [XX] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By:

Roger L. Browdy
Registration No. 20,520

2617
261565
125

RLB:ses

G:\BNM\mmri\Assis1A\PTO\missingnationaltransmittal\Exclaims.doc

BEST AVAILABLE COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/519,924	FIRST NAMED APPLICANT Tsuriel Assis	ATTY. DOCKET NO. ASSIS1A
---	--	-----------------------------

001444
BROWDY AND NEIMARK, P.L.L.C.
624 NINTH STREET, NW
SUITE 300
WASHINGTON, DC 20001-5303

INTERNATIONAL APPLICATION NO. PCT/US03/20610	
I.A. FILING DATE 07/01/2003	PRIORITY DATE 07/01/2002

CONFIRMATION NO. 9511
371 FORMALITIES LETTER



OC000000016452542

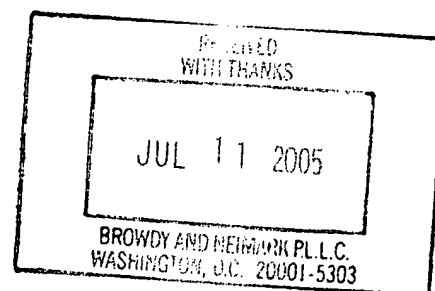
msp = 07 SE 2005

Date Mailed: 07/07/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/03/2005
- Copy of the International Search Report filed on 01/03/2005
- Information Disclosure Statements filed on 01/03/2005
- Request for Immediate Examination filed on 01/03/2005
- U.S. Basic National Fees filed on 01/03/2005
- Priority Documents filed on 01/03/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$125 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$190 for a Small Entity:

BEST AVAILABLE COPY

- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$ 125**
 - **\$125** for **5** total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/519,924	PCT/US03/20610	ASSIS1A

FORM PCT/DO/EO/905 (371 Formalities Notice)

BEST AVAILABLE COPY